

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DARLENE DELEON,

Defendant.

KIMBA M. WOOD, District Judge:

Defendant Darlene Deleon has moved to reduce her sentence under 18 U.S.C. § 3582(c)(1)(A), seeking compassionate release in light of COVID-19. (ECF No. 299.) The Court grants Richard Rosenberg’s application for re-appointment under the Criminal Justice Act, *nunc pro tunc* to April 6, 2020, to represent Defendant for purposes related to this motion. (*See id.*)

No later than April 29, 2020, the Government shall respond to Defendant’s motion. With its response, the Government shall provide the following information, after conferring with the Bureau of Prisons (“BOP”) and the United States Probation Office as appropriate:

1. The BOP’s assessment of the factors listed in the Attorney General’s Memorandum for Director of Bureau Prisons dated March 26, 2020 as they pertain to Defendant; who at the BOP assessed Defendant’s risk factors for severe COVID-19 illness; and upon what information that person’s assessment was made;
2. The criteria used by the BOP to decide whom to test for COVID-19 at FCI Hazelton, where Defendant resides;
3. Approximately how many tests for COVID-19 have been conducted at FCI Hazelton;

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16-CR-670 (KMW)

**ORDER**

4. The number of inmates and staff who have tested positive and the number of inmates and staff who have tested negative for COVID-19 at FCI Hazelton, both as absolute numbers and as a percentage of the total population of inmates and staff at FCI Hazelton;
5. A comparison of the risks of contracting COVID-19 at FCI Hazelton to those risks at the location where Defendant seeks to serve a term of home confinement;
6. Whether Defendant has been in close proximity to any inmate or staff member who has tested positive for COVID-19;
7. The Government's assessment of the factors set forth in 18 U.S.C. § 3553(a) as they pertain to Defendant;
8. Defendant's disciplinary record in prison, risk of recidivism, risk of violence, and any changes or additions that should be made to the originally-imposed conditions of supervised release;
9. Whether the BOP has considered or intends to consider Defendant for home confinement or furlough; by what date the BOP expects to make a determination regarding home confinement or furlough; and upon what specific information the BOP's determination will rely.

SO ORDERED.

Dated: New York, New York  
April 24, 2020

/s/ Kimba M. Wood  
KIMBA M. WOOD  
United States District Judge